

**DEPARTMENT OF VETERANS AFFAIRS
JUSTIFICATION AND APPROVAL
FOR
OTHER THAN FULL AND OPEN COMPETITION**

1. **Contracting Activity:** Department of Veterans Affairs (VA)
Network Contracting Office 19
4100 east Mississippi Avenue, Suite 900
Glendale, CO 80246
2237: # 554-15-1-106-0014

2 **Nature and/or Description of the Action Being Processed:**

The proposed acquisition is for a six (6) month short term bridge Indefinite Delivery, Indefinite Quantity (IDIQ) type contract to provide off-site and on-site Ophthalmology Services to the Veterans currently enrolled at the Grand Junction VA Medical Center (GJVAMC). The Government anticipates issuing a long-term solicitation within this time period, which will be issued competitively. This six (6) month contract will be awarded to the Grey Eye Care, 1120 Wellington Avenue, Suite 107, Grand Junction, CO 81501 as a sole source procurement to continue services during the solicitation time period utilizing a Request for Proposal under Federal Acquisition Regulation (FAR) Subpart 6.302-2 entitled "Unusual and Compelling Urgency." The 1358 payment process will be utilized for off-site services and 2237 payment process will be utilized for on-site services.

3. **Description of Supplies/Services Required to Meet the Agencies Needs:**

The proposed acquisition is to provide off-site and on-site Ophthalmology Services to the Veterans currently enrolled at the GJVAMC. The estimated total cost for this acquisition is \$464,776.87 (on-site \$78,808.36 and off-site \$385,968.51). Breakdown of services based on Current Procedural Terminology (CPT) codes are attached. The period of performance for this contract will be November 1, 2014 through April 30, 2015. Without the contracted services, the required medical care cannot be provided in the Grand Junction, CO area. The Government estimate was prepared based on historical data. The current contract for off-site and on-site Ophthalmology Services that was awarded to Grey Eye Care will expire on October 31, 2014.

4. **Statutory Authority Permitting Other than Full and Open Competition:**

The statutory authority permitting other than full and open competition is 41 U.S.C.253(c) (2) as implemented by the Federal Acquisition Regulation (FAR) Subpart 6.302-2 entitled "Unusual and Compelling Urgency."

5. **Demonstrate that the Contractors Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above:**

It is our intent to negotiate and award a short-term contract for six (6) months to ensure no break in services while the follow-on long term contract is being solicited. This contract is necessary to ensure continuity of direct patient care for Veteran patients. Grey Eye Care currently manages and provides off-site and on-site Ophthalmology services for the Veterans at the GJVAMC. Clinic staff at the off-site location for services sees numerous VA patients per day, performing outpatient Ophthalmology Services. A disruption in medical services would cause delays in medical care to VA patients of up to six (6) months as they are integrated into commercial clinics, and result in a substantial increase in costs to the Government from referring Veteran patients to commercial clinics and hospitals on a fee basis. Therefore, Grey Eye Care is the only firm capable of providing the referenced services described in section 3 above without the Veterans Health Administration experiencing unacceptable delays in fulfilling its requirements within the above referenced time period.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable

This short-term bridge contract will be conducted as sole source procurement with the incumbent contractor as this will prevent a break in care for our VA served Veterans residing in the Grand Junction, CO area. The long-term contract will be a procurement using full and open competition procedures in accordance with FAR Part 15, Contracting by Negotiation and FAR Part 12, Acquisition of Commercial Items and under the authority of 38 USC 8153 and VA Directive 1663.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

Fair and reasonable pricing will be determined in accordance with FAR 15.404-2. Pricing will be evaluated to be fair and reasonable based on a comparison to the Independent Government Cost Estimate, which is based on historical data of similar procurements. CPT rates for off-site services are based on set Medicare rates that are regulated and administered by the Government and are determined fair and reasonable based on the Medicare rate calculation.

8. Description of the Market Research Conducted and the Results or a Statement of the Reasons Market Research Was Not Conducted:

No market research was performed as this request is of an Urgent and Compelling nature and the incumbent contractor is the only source that can provide these services during this six (6) month contract period.

9. Any Other Facts Supporting the Use of Other than full and Open Competition:

The required service specified in the Performance Work Statement is fulfilled by using the incumbent contractor to prevent interruption of services to Veteran patients.

10. Listing of Sources that Expressed in Writing, an interest in the Acquisition:


Not Applicable

11. A Statement of the Action, if Any, the Agency May Take to Remove or Overcome any Barriers to Competition Before Making Subsequent Acquisitions for the Supplies or Services required:

The Government intends to solicit a long-term contract to meet this requirement in the next six (6) months utilizing full and open competition procedures.

12. Requirements Certification:


I certify that the requirement outlined in this Justification is a Bona Fide urgent need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification are accurate and complete to the best of my knowledge and belief.


Sharon A. Ridgeway
Contracting Officer Representative, GJVAMC

10/16/14
Date


Approvals in accordance with FAR 6.304

- a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


Christopher D. Vu
Contracting Officer, NCO 19

10-16-2014
Date

- b. **Director of Contracting:** I certify the justification meets requirements for other than full and open competition and I approve for Other than full and open competition.


Curtis M. Jordan
Director of Contracting, NCO 19

10-16-2014
Date